

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

AN ORDINANCE

**DECLARING A WIRELESS TELECOMMUNICATIONS TOWER AT
SAN ANTONIO INTERNATIONAL AIRPORT AS SURPLUS TO THE
NEEDS OF THE CITY AND AUTHORIZING THE TERMINATION OF
THE EXISTING TOWER LEASE AGREEMENT AND EXPEDITED
DEMOLITION OF SUCH TOWER.**

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WHEREAS, the City and San Antonio SMSA Limited Partnership (formerly a division of Southwestern Bell Wireless, Inc.), now New Cingular Wireless PCS, LLC (formerly known as AT&T Wireless PCS, LLC) (“AT&T”) entered into a Standard Tower Lease Agreement (“Agreement”) in 1997 pursuant to which AT&T constructed a wireless telecommunications tower (the “AT&T tower”) at San Antonio International Airport (“Airport”); and

WHEREAS, the City is constructing a Consolidated Rental Car (“CONRAC”) facility and the footprint of the facility sits over the existing wireless telecommunications tower built by AT&T; and

WHEREAS, the existing wireless AT&T tower must therefore be decommissioned in order to give way to the construction of the CONRAC; and

WHEREAS, San Antonio MTA, L.P. d/b/a Verizon Wireless has constructed a new wireless telecommunications tower at the Airport which is outside of the CONRAC footprint to replace the AT&T tower; and

WHEREAS, the Agreement for the AT&T Tower calls for a 180 day termination notice after declaring the tower surplus, and deferring demolition of the telecommunications tower for such time period would delay the CONRAC project; and

WHEREAS, it is necessary to declare the AT&T wireless telecommunication tower surplus to the needs of the City and authorize the Aviation Director to negotiate with AT&T for an expedited demolition of said tower; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The AT&T wireless telecommunications tower located on Airport property is declared surplus to the City’s needs.

SECTION 2. The 1997 Standard Tower Lease Agreement with AT&T is hereby authorized to be terminated in accordance with the provisions of such lease agreement and the Aviation

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Director is granted authorization to negotiate an agreement with AT&T for the expedited demolition of such tower.

SECTION 3. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of April, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek
City Clerk

Martha G. Sepeda
Acting City Attorney

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